

IIND COMING 1ST EDITION

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"BESIDES...JUST HOW FAR DO YOU THINK YOU CAN GET
IN TODAY'S WORLD WITHOUT A GOOD EDUCATION?"



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HELLO! HELLO! HELLO! HELLO! HELLO! HELLO! HELLO! HELLO! HELLO! HELLO! HELLO! HELLO! HELLO! HELLO! HELLO!

Second Thoughts

ON OUR RIGHT TO EXIST

By the time you read this, some of our staffers may be in jail or in the process of being kicked out of school. Such is the state of freedom of the press at Eastern Michigan University.

We did not intend for our mere existence on campus to be an "issue;" we would much rather concentrate on the real wrongs in society than hassle with petty tyrants. However, since it seems that we must fight for the right to exist, we intend to do so and not to be frightened out of business. The "free democratic university" lauded by Sponberg, Zumwinkle, and their toadies does not exist here; to say it does is the vilest sort of hypocrisy considering what we have gone through in the past week. The detailed story of events is on page sixteen.

The main culprit behind our harassment appears to be Lewis E. Profit, Vice-President for Business and Finance. He not only threatened us with arrest and expulsion, but secured an opinion from local attorneys that underground papers exist only at the pleasure of the Administration. A copy of this opinion was given us by Aceto. Its line of reasoning is: (1) University rules state that commercial items may not be sold without the authorization of Mr. Profit. (2) Students can get newspapers through the mail and at the Union stand. (3) Therefore newspapers can be forbidden on campus, even if they are given away free. (4) Michigan Statutes Annotated, sec.19.141 et al., states that the Regents of EMU have the authority to maintain good order and preserve State property, and that people who don't obey the rules are guilty of a misdemeanor. (5) The campus police would act as sheriffs to enforce this law.

When we read this opinion to one of our American Civil Liberties Union attorneys he had a good laugh over it. "No lawyer would dare to go into court with that," he said. "It doesn't even touch the constitutional issues." He said "This case sounds like one out of the early Fifties."

So that the Administration can understand exactly what our rights are, we present here:

A SHORT COURSE ON CONSTITUTIONAL LAW FOR ADMINISTRATORS

1. The U.S. Constitution and its amendments are supreme over any conflicting state laws or administrative regulations of state agencies (including universities).

2. The First Amendment to that Constitution guarantees freedom of the press.

3. The U.S. Supreme Court, in the landmark case of *Tinker v. Des Moines* (37 Law Wk. 4121), held that "it can hardly be argued that either students or teacher shed their constitutional rights to freedom of speech or expression at the schoolhouse gate." Free speech and press conduct must "substantially interfere" with the educational process before it can be prohibited. Also: "In our system, state operated schools may not be enclaves of totalitarianism. School officials do not possess absolute authority over their students. Students in the school as well as out of school are 'persons' under our Constitution."

4. EMU grounds are public land, and no attempt is made to prevent ingress or egress. The Supreme Court in *Jamison v. Texas* (318 US 413 (1943)) stated that "One who is rightfully on a street which the State has left open to the public carries with him there as elsewhere the constitutional right to express his views in an orderly fashion. This right extends to the communication of ideas by handbills and literature as well as by the spoken word."

5. It is illegal to subject the press to prior censorship of material, according to *Lovell v. Griffin*, 303 US 444 (1938): "[Such a practice] strikes at the very foundation of the freedom of the press by subjecting it to license and censorship." So much for Kleinsmith's illegal attempt to force us to submit copy prior to printing in order to sell at tables. Also, ordinances or rules requiring prior approval of printed materials are void on their face, which means that they do not have to be obeyed, according to the Supreme Court.

6. The Young Socialist Alliance has been able to sell its newspaper, the *Militant*, without Profit's approval. Ditto the *Obsidian* during the spring semester (although it was hassled in the fall). Therefore, any attempt to enforce the "commercial sales" rule against us is unconstitutional because it is discriminatory.

That is the situation. We do not intend to be disorderly when selling our paper, and therefore cannot be arrested under the Michigan law the University is relying upon. University rules or practices forbidding sales of papers are unconstitutional and therefore void. Our attorneys have advised us of this, and have suggested that we go ahead and sell the papers. We shall.

If any attempt is made to stop us, we intend to prosecute Mr. Profit and his cronies for violation of Section 1983, Title 42 of the United States Code, which states:

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

In fact, since they have already conspired to violate this law, they may be guilty of a felony. (Isn't that interesting? shades of Dr. Spock, Tom Hayden, et al!!) EMU will be a free campus even if we have to go to Federal Court to make it so.



EMU as SLUMLORD

"The three high-rise dorms are the most deplorable examples of university exploitation I have ever witnessed." So began Tom Moors, Student Body President, as he addressed the opening session of the Student Senate on Tuesday, September 16. "As you know, the Student Senate realized through its collective wisdom that the tower dormitories would not be done. At the May 20th meeting we made three recommendations: 1) abolish the mandatory freshman residence clause; 2) abolish the mandatory 1-year contract for occupancy; 3) prevent the RA's from having to accept a roommate." It is also interesting to note the student body president's concern as manifested in his correspondence to Mr. Lewis E. Profit, Vice-President for Business and Finance, dated August 12, 1969:

Dear Sir:

Have you examined the size of the individual living units in the new tower dormitories? I am not sure that 10 feet across is really enough space to exist in. I fully anticipate a number of problems in a social-psychological sense.

Has any further action been taken on the rebate idea for the victims of an unfinished tower dorm who are forced to double up with other dormitory residents? I asked RHA to send you a note requesting this and have no assurance that such a plan has been responded to. I consider it essential and would appreciate your opinion.

Sincerely,
Thomas O. Moors

Of course the Administration did not respond in an affirmative manner. Instead it continued throughout the summer to blunder along, *apparently* unable to perceive an impending crisis situation where hundreds of people would be forced to live in sub-standard, subhuman, unsanitary, unsafe, and in most cases overcrowded conditions. The average residence hall overload is 30% for the entire system.

Apparently is stressed primarily on the basis that, given the Administration's close contact with the contractors, and having access to all updated information concerning the rate of construction, its position--that the tower dorm crisis was not foreseen until September 11--would seem untenable or at least questionable. And the truth of that position becomes even more doubtful when contrasted with the farsighted recommendations made by the Student Senate as long ago as May. If these had been adopted by the Administration they would successfully have averted even the possibility of such a crisis.

However, reason and sound judgment do not always prevail, especially at a university. And on September 14 the housing conditions described above became reality, as Eastern's administrators gained a new and obviously appropriate title--EMU Slumlords.

Of course all of the student tenants were immediately ripped off for the first month's room and board payment by the Slumlords, even though the residence halls that the students were inhabiting were for all practical purposes uninhabitable.

(Of course, it's probably a groove taking a crap while sitting on a cold toilet bowl. And we suppose that studying and trying to write without a desk or chair and maybe no light is "conducive to learning.") There were a few people who could really get a thrill just by touching the exposed wires in the wall plugs that had no covers. But one thing that is unexplainable is how some of the "high"

administrators, having a deep sense of commitment to that which is proper and moral, could have allowed many of the students (both male and female) to dress and undress in the tower dorms with the absence of curtains to protect the virtue of their bodies. This list could go on and on describing the various other conditions existing which are in direct violation of the Ypsilanti building code and the sanitation and fire laws.

Those students--over 250 of them--who were informed just 4 days prior to moving up to Ypsi that they had no place to live because the dorms were not finished and could not be for several months may have been spared the agony of living under the EMU Slumlords. However, many of these 250 students might have preferred to transfer to another school had they been told well in advance what the housing situation would be at Eastern rather than put up with the hassle of driving a hundred miles a day just for classes.

Now, assuming that the Administration of EMU *did* know that the dorms were not going to be ready in time for September occupation, why would it choose to withhold that information until just 4 days prior to the opening of school; and why did it disregard the recommendations of the Student Senate? For those of us who attended the emergency meeting at Dining Commons #2 on Thursday, September 18, the reason is obvious: *MONEY AND THE UNIVERSITY'S "A" CREDIT RATING*, which Mr. Profit valued so highly. He made it clear that if the university did not move students into the new tower dorms--even though they were not finished--its precious "A" credit rating would be in jeopardy. And when students suggested rebates for those forced to live in overcrowded and other undesirable conditions, Profit was the first to admit that they had legitimate complaints, but he said that the university would probably not be able to give any rebates because of the economic reasons stated above. In essence his position was that students deserved rebates but that the university was unwilling to give them.

continued on page 4

The Second Coming bursts into print biweekly in a shower of dollar bills at: P. O. Box 491, Ypsilanti, Michigan 48197. Phone: 484-0244.

The staff for this issue is Lee, Mary Jane, Dave, Frank, Wendy, Jeff, Marlene, Tom, Dick, Harry, and various other commies, weirdos, hippies, freaks, and troublemakers. Sorry--first names only until EMU calls off Profit and his lackeys.

The Second Coming is an anti-profit organization; however, we must have funds to survive. Subscription rates: \$3 per academic year (two semesters) in Ypsilanti, \$4 out of town.

We are a member of the Underground Press Syndicate (UPS), Liberation News Service (LNS) and Midwest News Service (MNS). Material not copyrighted except for individual articles so marked; contents reprintable when credit is given to the *Second Coming*.

We beg and implore you to submit letters, poems, news items and essays for publication. Send your masterpieces to P. O. Box 491 and enclose a self-addressed stamped envelope.

What Can Be Done?

Students are not completely helpless, and have many legal rights which the Administration is not about to inform them of. For example:

1. State law requires that dwellings be fit for occupancy before they can be rented, and that they be safe as well. Michigan Compiled Laws Annotated, section 554.139, says:

The lessor [landlord] covenants: (1)(a) That the premises and all common areas are fit for the use intended by the parties; (b) To keep the premises in reasonable repair during the term of the lease or license, and to comply with the applicable health and safety laws of the state and of the local unit of government where the premises are located, except when the disrepair or violation of the applicable health or safety laws has been caused by the tenants' willful or irresponsible conduct or lack of conduct.

2. The Ypsilanti Housing Code repeats this provision, and adds that for rented rooms the following amounts of space must be available in rooms used for sleeping:

1 person	80 square feet [8x10 or equivalent]
2 persons	130 square feet
3 persons	150 square feet
4 persons	200 square feet
5 persons	250 square feet
6 persons	300 square feet

Anything less than this makes the housing substandard. So the University can't house four people in a room having space for only three if people assert their legal rights.

3. YOU DO NOT HAVE TO PAY FULL RENT FOR SUBSTANDARD HOUSING, because the landlord has not fulfilled his part of the contract as required by the above state law.

4. The University cannot force people to live in substandard housing; if you have been lucky enough to find an apartment in town, even if you are a freshman, and if the University cannot provide you with legal housing, you may move out and the University cannot punish you.

How To Do It

What you want to do depends on how nasty you want to be. Let's assume that you can't move out, but want to avoid paying Profit the Slumlord his full rent. You can:

1. Deposit your rent with the City of Ypsilanti until the University makes your housing complete and uncrowded. Then you will divide the deposited rent between you.

2. Simply refuse to pay any rent either to the University or the city. If the University follows the law (which it can be forced to do), it will first send you a demand for the rent, called a Notice to Quit. If you ignore this, it will then have to take you to court to get you to pay. If you ask for a jury trial, this will take months. At your trial, you can show that the University failed to provide safe and uncrowded housing, and chances are that the jury will award you a substantial rent reduction. If you pay that rent within 10 days after your trial, *you cannot be evicted*. In fact, the only way that anyone can be evicted in Michigan is for the landlord to get a judge to sign a Writ of Restitution, which can only happen after a trial and the 10-day payment period. *It is illegal for any landlord to move you out by force; if he does so he can be prosecuted.*

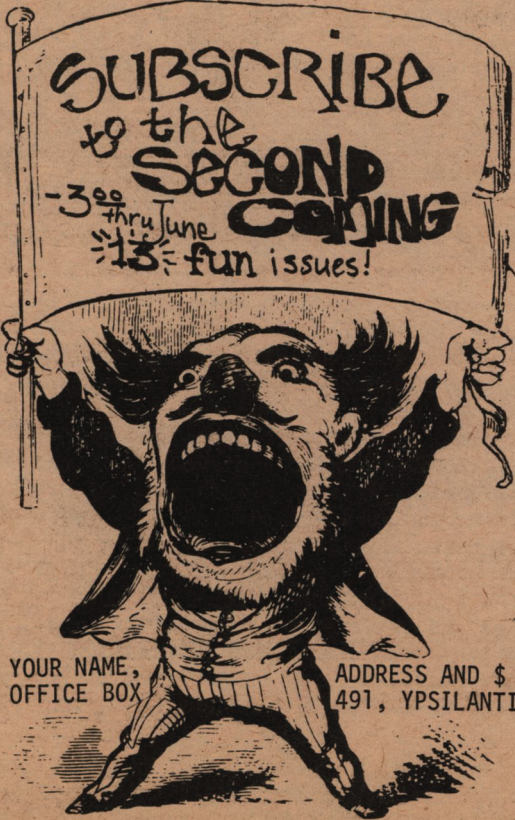
3. Complain immediately to the Ypsilanti Department of Public Works, City Hall, 304 N. Huron, 483-1105. Ask for a Building Inspector to come to your dorm. Ask for a copy of the Housing Code.

4. Call the Fire Department, 482-9778, and ask how to find out if your dorm room violates the fire laws. If it does, because of the overcrowding, unshielded wiring, or whatever, you can expect pretty quick action by the city.

5. Write to the University (why not Profit himself?), say that you are not going to give them any money for rent when you are living in unsafe housing, and generally make life miserable for them. After all, while we may sympathize with the Administration for the foul-up of the construction work, it did not have to overcrowd rooms.

For what is a credit rating when people's health and safety are at stake?

NEXT ISSUE: MORE GOOD STUFF ON HOW TO MAKE THE UNIVERSITY PROVIDE SAFE HOUSING



25¢

The *Second Coming* costs a quarter. This is more than a lot of underground newspapers cost. The *Fifth Estate*, for example, costs only twenty cents in Detroit. The reason that we charge a quarter is that we don't want to be dependent upon national ads to continue printing. We don't want to get up tight when companies stop advertising. We want to be directly dependent upon the Eastern community; to build the community's loyalty to the paper and the paper's loyalty to the community.

You probably wonder what we're going to do with your money. The first thing we'll do is pay our printing bill. After that, we'll probably pay our typists, give our hawkers a commission and buy real headlines. We probably won't start printing with colored ink or buy expensive equipment (although we'd like to have those things). What we will do is contribute to legal aid funds, sponsor dances and try to help anyone who has a problem that a little money can help solve. The important thing to remember is that just because we're holding the money doesn't mean that it won't be used for your benefit.



Snaks out

By ANDY MARX
Liberation News Service

For the last few years, William Buckley and his right-wing friends have been brandishing the emergence of organized opposition to "commie-anarchist" SDS ready to swoop down under the banner of the Young Americans for Freedom (YAF) and save dear old Alma Mater from an untimely rape.

During the same few years, we have often commented among ourselves that a lot of people on the right, the kind of people who support YAF and Wallace, were actually mad about many of the same things that we were--like big business, liberal nonsense and phony government programs.

So it was really a lift (a down for Buckley) to read a month or so ago that one of the leaders of YAF felt the thing to do would be for SDS and YAF to get it together and go after the common enemy, spelled s-y-s-t-e-m.

And now comes the story of the YAF Convention, St. Louis, Missouri, 1969, complete with draft card burnings, dope and black flags.

And I have this wonderful flash of Buckley sitting there trying to keep his cool and smiling that wonderful Ivy League smile and wondering JUST WHAT THE HELL IS GOING ON HERE? while *his* organization is flooded with leaflets saying, "To really love this land you must first learn to loathe this nation and the system for which it stands." I mean, just what the hell IS going on here??

It's not actually such a complicated question. What has happened is that a large number of people in YAF (around 30 or 40% of the convention) are beginning to take seriously just those things that always made them seem reachable. They are facing up to a crucial fact: the freedom of communities and individuals that they have always advocated in the name of good old-fashioned federalism is threatened far more by law 'n' order than by SDS. And a growing number of them feel that the right to smoke dope and the right to burn your draft card ought to be defended against big government repression more vigorously than the "right" to go to school only with people of your own race and the "right" of free enterprise.

So here is this convention, with Buckley as the featured speaker, and a sizable faction, clearly the fastest-growing force in the organization, nominates its candidate as "an enemy of the state." The candidate bristles at "the slavery of conscription...the tyranny of political repression in the holy name of defense against distant conspiracies and threats. Its police, today, in every major city, are becoming armed forces training not to defend the people and their property, but to defend the politicians, their prerogatives, and state capitalism!...ALL POWER TO THE PEOPLE. This we believe, and this we shall accomplish."

And then, to cap it off, the convention, which has denounced violence as a means of political expression, ends with a wild brawl.

In the midst of debate on resolutions on the draft (one of which favored the complete elimination of the military), one delegate stands up and holds high his flaming draft card.

All hell breaks loose.

Buckley must be crapping in his pants by this time, and a lot of the old-line right wingers try to vamp on the kid, while his friends fight to

defend him. The whole convention breaks down with people hysterically chanting "Sock it to the left!" --the intended theme of the convention--in an attempt to pull things back together. Only a lot of people have had enough, and some of them walk out and others hold a meeting and decide that they have to stay and fight it out with the law 'n' order people--to move against the state instead of the new left.

YAF will never be the same. It'll be a long time before a lot of them make the final step and recognize that Power to the People means attacking that other right that they hold so dear--property.

But they have at least stilled any fears that Buckley's promised reactionary fighting group will be able to pull itself together in YAF. And they have reinforced our faith that frustration against the system from the right is not an unpardonable sin. Come the Revolution, half of those right-wing types will be with us!

The SECOND COMING is having a staff meeting on Wednesday, October 8, and Wednesday, October 15. New and old staff members are welcome. The meeting will be at 955 Washtenaw.

Gravity

Presents:

Tarantula

HARD ROCK & BLUES BAND

Cal

DOING A VARIETY
OF ORIGINAL NUMBERS

and a third surprise...

Oct 17

8 p.m. til midnight
in the main dining room
McKenny Union

STUDENT RIGHTS?

The information in this article is accurate even though it's presented jokingly. Know your rights.

For school administrators only: This information must not fall into the hands of students. The job of school administrator is difficult enough already.

These are trying times for you as a dedicated administrator. There has been loosed upon this country an entire generation of youth with little or no respect for authority. One longs for the good old days when a few well-aimed swats or sometimes just threats were enough to keep a school running smoothly. The skillful administrator can still keep order with well-chosen threats, bluffs, and demands, but only if he is blessed with an unusually docile or uninformed student body.

The alert administrator needs to keep abreast of legal developments. To help you do this, we have prepared this memorandum. Rebellious students and their short-sighted lawyers have repeatedly dragged well-meaning school administrators through the courts of our land. The results have repeatedly and consistently been disastrous for the administrators. In some cases, students have added financial injury to insult by successfully demanding damages from unwary administrators.

Throughout this memorandum, the word "student" includes not only the college student. The United States Supreme Court decisions and the others cited here apply with equal force to high school, junior high school, grade school, and presumably kindergarten rebels.

Rebellious students and their treacherous adult allies rely heavily in court on a paragraph reproduced below for your protection:

Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and to petition the Government for a redress of grievances.

This paragraph is known in the legal trade as the First Amendment to the US Constitution, and is binding upon the States and their subdivisions (including, unfortunately, boards of education, regents, and administrators). If you want to see what happens to educators when they run afoul of the First Amendment, see Gitlow v. New York, 268 US 652 (1925) and West Virginia State Board of Education v. Barnette, 319 US 624 (1942).

We hope you will find helpful the suggestions below for dealing with disrespectful students. You are advised to be cautious, however, since the courts have found all these devices unconstitutional. You are safe only when your student body is ignorant of the rights of US citizens, or when lawyers keep their noses out of school business.

1. Forbid leafletting or passing out student newspapers in places open to the public. (Beware that you will be found guilty of violating the First Amendment if taken to court; see Jamison v. Texas, 318 US 413 (1943).)

2. If the above bluff doesn't work, tell them they can't leaflet because it might cause littering, which is illegal. (Beware Schneider v. Irvington, 308 US 147, 162-3 (1939).)

3. Forbid leafletting, etc., because others might be angered and disputes arise. (Beware Terminiello v. Chicago, 337 US 1, 4 (1949).)

4. Ask your friendly local businessmen to forbid leafletting or picketing in public places like shopping centers and bus terminals. (Beware Amalgamated Local 590 v. Logan Valley Plaza, 391 US 308 (1968), and Wolin v. Port of New York Authority, 392 F. 2d. 83 (2d C. A. 1968).)

5. Forbid leafletting anywhere on school property, anytime. (Beware Cameron v. Johnson, 390 US 611 (1968), unless you can show clearly that the educational process is being obstructed.)

6. Search students' lockers. (Beware Overton v. New York, 37-US Law Week (1968) unless you have a search warrant.)

Now I've HEARD all this NONSENSE about the STUDENT as a NIGGER! About 'em having no rights and no protection and so-called student-teacher SEGREGATION and I just want to get a few blasted things STRAIGHT! I mean I guess I KNOW my STUDENTS!



Firstly, let me say some of my BEST friends are STUDENTS and BASICALLY you couldn't WISH to meet a more POLITE, RESPECTFUL, HAPPY lot when they know their place. Why some of 'em are even quite ATTRACTIVE... (chuckle) Yeah!



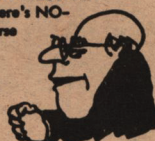
With their own kind they seem to ENJOY themselves IMMENSELY... dancing (got a lotta rhythm!)... wearing gaudy clothes! We TEACHERS say if you could be a STUDENT just ONE Saturday night you'd NEVER want to be a teacher AGAIN! (chuckle) And they're VERY good at SPORTS!



But GOSH DARN it some folks talk about 'em like they were US! And FACE it, what contribution are they making to the ARTS? How many DOCTORS, LAWYERS and BUSINESS LEADERS are STUDENTS? Biologically they're just not EQUIPPED to handle FREEDOM and POWER! How I envy them!



So these OUTSIDERS who try to STIR 'EM UP over RIGHTS and such are just making TROUBLE for EVERYBODY! First thing they'll want to write on every line and use staff washrooms and call us by our FIRST NAMES! And brother, there's NO-THING worse than an UPPITY STUDENT!



And just between us would you want one to marry your daughter?



SIPS US, Ann Arbor, Mich.

7. Confiscate student newspapers, etc. (This action seldom wins the sympathy of the court, and may also leave you open to criminal charges of robbery, assault and battery, etc.)

8. Ban all distribution of obnoxious materials, but permit nice students to continue their activities. (Alas, then you will be prosecuted under the Fourteenth Amendment, which prohibits discriminatory or unequal treatment.)

9. Insist that all newspapers or leaflets must be submitted for your approval before distribution. (But watch out for Lovell v. Griffin, 303 US 444 (1938).)

10. Discredit them by demanding that they salute the Flag. (Beware West Virginia v. Barnette, 319 US 624, in which the Supreme Court said "no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion or other matters of opinion, or force citizens to confess by word or act their faith therein.")

11. Tell students that they are forbidden to criticize government officials in school papers. (Beware Dickey v. Alabama State Board of Education, 273 F. Supp. 613 (1968).)

12. Forbid the wearing of buttons. (Beware Burnside v. Byars, 363 F. 2d 744, 749 (1966), which affirms the right of students to wear buttons which convey a political message.)



13. Forbid the use of public address equipment at rallies. (Sorry, even this was ruled out in Saia v. New York, 334 US 558 (1948).)

14. Suspend them for "misconduct." (But beware Soglin v. Kauffman, which states that violation of vague rules of conduct cannot stand as a foundation for suspension or expulsion.)

15. Lay down rules making women stay in their dorms at night, forbidding "demon rum," etc. (But watch out for Buttny v. Smiley, 281 F. Supp. 280 (1968), and a host of other cases, all affirming that *in loco parentis* rules are no longer permissible in universities.)

16. Harass students and student groups with a maze of silly rules and force them to get "approved" in order to use University facilities. (Beware Eisen v. Regents of the University of California, 75 Cal. Repr. 45 (1968), which affirmed that student groups are protected by the First Amendment.)

17. Forbid the wearing of armbands, etc., indicating that Our Boys Overseas are fighting an unjust or immoral war. (Beware Tinker v. Des Moines, 37 US Law Week 4121 (1969), which states that wearing armbands is a form of protected "free speech.")

18. Say that students don't have rights, but only privileges. (But watch out for the entire US judicial system.)

An example of the fuzzy thinking we must contend with is found in the case of Terminiello v. Chicago: "...this sort of freedom and openness--that is the basis of our national strength and of the independence and vigor of Americans who grow up and live in this relatively permissive society."

And again, in Tinker v. Des Moines (a real disaster for administrators): "It can hardly be argued that either students or teachers shed their constitutional rights to freedom of speech or expression at the schoolhouse gate. This has been the unmistakable holding of this Court for almost 50 years."

One last warning to you administrators. If they can't beat you any other way, some lawyers will resort to the old "due process trick." When punishing deserving students, you might be called upon in court to prove that the students were given proper notice and a hearing. (Dixon v. Alabama State Board of Education)

We do, of course, have the urgent duty of assuring that the life of our schools is permeated with the free and democratic spirit. After all, in the words of one honorable judge, we are "educating the young for citizenship."

A² ACTIONS

LS&A

A sad, dejected Doug Harvey walked back and forth on South State in front of the Literature, Art and Science Building (L.S.&A) at U-M early Friday morning, September 26. It seems that Washtenaw County's Super-Pig didn't have the power to do what he likes to do best--beat heads. The crowd wasn't violent, and Harvey had been ordered by State Police Colonel Davids not to chase or arrest anyone. Although Harvey and his boys had some "fun" when they first arrived, they were no more than an animate stone wall between the crowd on State Street and the Ann Arbor police. For most of the hour and forty minutes they were on the scene, the sheriff's department just stood at attention and glared at the crowd.

Harvey had good reason to be mad. He wanted to take his "men" and bust up them radicals that Robben Fleming was playing "footsy" with. These radicals were U-M students upset because the University Business Complex (a group of hard-core Fascists and soft-shelled liberals that rule Ann Arbor) vetoed the plans for a student run bookstore. To protest the veto a large number of students entered the L.S.&A. building. A much larger group of sympathizers and onlookers gathered around the building after the protesters entered. The scene was set.

After feeble attempts by the Ann Arbor Police Chief Krasny to serve an injunction, reports of police activity began to filter in. It became obvious that they'd wait until the crowd became tired and began to break up. At about midnight, the crowd was gigantic but slowly it began to taper off. By 3:30 a.m. Friday the crowd had dwindled to about 150 in back of L.S.&A. and 250 in front. Over 100 were inside.

Then four loads of police busses landed and the cops formed a phalanx. By the light of a helicopter search light they stormed the back door of L.S.&A. wearing helmets, masks, and carrying raised clubs. These Michigan State Police seemed to lack the "killer instinct" of the Washtenaw County Sheriff's office. The crowd at the back door dispersed with no one hurt.

The police then stormed the front door, swinging their clubs at terrified, fleeing students. The LS&A building fell to invaders dressed in blue and Harvey brown.

The sheriff's department was then transformed into a stone wall keeping the people on the east side of South State. Three were pacing back and forth in the street, threatening to use their 1968 Christmas gifts, an M-16 rifle and the dogs they tried to feed EMU students to last February.

Although frightened, the crowd stayed and blew the simple mind of the sheriff's department by singing such oldies as "America the Beautiful," "The Star-Spangled Banner," and a beautiful rendition of "Silent Night."

In back and at the side, state police were conversing like human beings, if only like brainwashed oppressed Americans. Such statements as "I don't necessarily agree with this, but that's my job" and "The people make the laws, we just enforce them" came from the tongues of the police.

The LS&A affair convinced me that Jim Morrison of the Doors can be wrong. They can have both guns and numbers at any given place. We must get to the average police officer--some were reading the literature passed out by students.

Try to help the cops and Super-Pig may lose his command!

Barry Simon

ROTC

The people of Ann Arbor have once again proved that to attend the University of Michigan one need not possess intelligence or integrity. Faced with the best opportunity in months to shake the power structure and bring about meaningful change, the majority of the students and supposedly involved populace copped out.

Beginning two weeks ago with a speech by U-M President Robben Fleming which revealed not only his hypocrisy but the university's as well, Ann Arbor was filled with an air of dissent that should have grown into something big.

Fleming said that our involvement in Vietnam is a mistake and that the U.S. would be losing very little by withdrawing troops. He went on to say that he didn't believe there were imperialist interests involved in keeping us there nor would he even pause for discussion of the war research being carried on at U-M. (The U-M has made large contributions to war research, enabling the armed forces to kill with more brutal efficiency. Last year they received millions in funds for research and were among the top five government contract holders.)

Rennie Davis, co-founder of SDS and one of the Chicago Conspirators easily destroyed Fleming's logic and tried to stimulate the crowd to coalesce into a working mass that could accomplish something. The main issues he stressed were getting the campus together to abolish ROTC and further war research.

After the speeches many angry people joined together in a peace march. About 10,000 people joined together in an unenthusiastic silence and walked quietly from the U-M stadium to an un-together rally on the diag.

By Monday, some people were militant enough to take the ROTC building. Once again, however, the U-M students exhibited their unwillingness to commit themselves to a course of action. After holding the building half the night, the people burst through police lines and lost themselves in the crowd outside to avoid possible arrest. If they had held the building reinforcements would have joined them by morning. Once out, they realized their foolishness and made a motion to re-take the building. The apathy that grips Ann Arbor won out in the end, though, so the crowd of about three or four hundred contented themselves with standing on Fleming's darkened lawn and shouting obscenities at his empty windows.

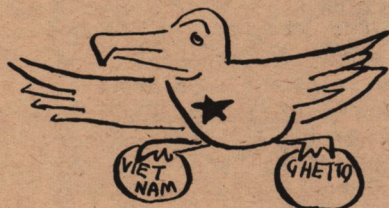


SECOND COMING STAFF MEETING AT 955 Washtenaw on Wednesdays at 6:30. We would like to take this opportunity to thank all the people who have helped us get this issue out. This includes students who did the work and faculty who lent us money.

Shorts:

TUSCOLA DRAFT BOARD CHAIRMAN QUILTS

Harold Johnson, 74, has resigned as chairman of the Tuscola County, Michigan Selective Service Board as a protest against the Vietnam war. Johnson said, "For some time now, I have felt serious reservations about my activities as chairman of the board which is engaged in the recruitment of young men for a cause which I cannot dedicate my total loyalty to. I am not convinced that the war in South Vietnam could be defended as a morally and legally proper course of action." (LNS)



BSU AT WASHTENAW COMMUNITY COLLEGE

The Black Student Union of Washtenaw Community College is sponsoring a Marathon Group Session Workshop of Rational Encounter. It will be held Sunday, October 12, 1969 from 2:00 p.m. to 9:00 p.m. at Martin Luther King Hall on Midway Street.

The Marathon will allow Washtenaw Community College students to express their feelings and learn to share the impacts they make on one another in a non-defensive manner. Questions like "Why do black brothers and sisters sit at the back of the classroom?" and "Why are more white women active in the revolution than black sisters?" will be asked.



The Marathon will be led by three psychologists: Dean James A. Jones, a clinical psychologist; Herbert Martin; and Alvin Roberts, a psychiatric social worker. All are on the Washtenaw Community College faculty.

Refreshments will be served and everyone is invited to attend. Perhaps this will help answer a lot of questions we've been asking ourselves for a long time.

Lawrence Moore

NEW YORK BOMBERS HIT TARGET #4

New York--For the fourth time in the past two months, institutions responsible for U.S. war policy have been bombed in this city. The latest target was the new Federal Office Building near Foley Square.

The bomb was placed somewhere between the 39th and 40th floors, housing respectively the local headquarters of the Selective Service Department and the Commerce Department.

No one was injured by the blast, which occurred at 2:10 a.m. on September 19. The explosion wrecked a large portion of the draft office and the Commerce Department, which is used by U.S. businessmen to facilitate their foreign investing.

The Federal Building is the latest of a series of targets. One month earlier a bomb wrecked the offices of the Marine Midland Grace Trust Co., a bank with 3.3 billion dollars in assets and considerable investments in Latin America. On July 26th, in commemoration of the Cuban Revolution, a United Fruit Company pier was blown up and two weeks before that a grenade factory in New Jersey was hit.

The mass media has cooperated with the authorities in covering up the political nature of these attacks on key institutions of U.S. imperialism. Police and FBI agents assigned to the cases never mention the possibility of political motives behind the bombings, at first even trying to bury the news altogether--but the persistence of the attacks has finally made them front-page news.

Although the director of the Commerce Department recalled that there had been anti-draft demonstrations in front of the building during the summer, he said he could think of no reason why anyone would want to bomb his offices. There have been no arrests in connection with any of the cases. (LNS).

the staff



DEBRAY FASTS

Regis Debray, French author of *Revolution in the Revolution* and presently a prisoner in Camiri, Bolivia, went on a hunger strike last month. Debray is serving a 30-year prison term for his involvement with Che and the Bolivian guerillas. For eight days Debray refused to eat as a protest against prison conditions. (LNS)



BETTER THAN VIETNAM

Fresno, California--A 19 year old Marine named Robert Barnett is safe and sound in the Oak Knoll Naval Hospital--and not in Vietnam.

That's the way he planned it. Barnett went AWOL and then had a friend shoot him in the left leg above the knee so that he wouldn't be shipped out.

Sheriff's deputies were first told that Barnett's wound and two bullet holes in a car windshield were caused by sniper fire on a mountain road. But Barnett later told what really happened.

The Marine's friend, Lester Rhodes, told the cops that he fired the shots--and said he'd do it again to help his friend from going to Vietnam. (LNS)

GEN. THIEU





By BILL KINSMAN

Abbey Road is the Beatles' choice for the title of their first long-playing album release of 1969. Abbey Road is a rather short street in North London in St. John's Wood which houses the four studios of Electric and Musical Industries (EMI), not far from the town house of Mr. and Mrs. James Paul McCartney. It's a very good choice for the title in many ways because Studio #2 at EMI on Abbey Road is the birthplace of most of the hits of Messrs. Lennon, McCartney, Harrison and Starr. Whereas the Beatles' first two single releases of 1969 ("Get Back"/"Don't Let Me Down" in April and "The Ballad of John and Yoko"/"Old Brown Shoe" in June) were recorded in the new Apple studios on Saville Row in London, all the tracks on the new LP were recorded back at EMI on Abbey Road during the last three months of summer beginning in early July, since new equipment (including a mixer) was being installed at the Apple headquarters.

"Come Together," the first track on side one, is an up-tempo, rhythmic piece with typically whimsical Lennon lyrics in the tradition of "I Am the Walrus." This was one of the last tracks to be recorded. John never ceases to amaze me. He's got movement. George's "Something" is the favorite track on this set of many, including John, Paul and Ringo. This is a great, slow, easy number. It has George describing the nice things about a girl. Paul and Ringo added background singing intermittently.

Paul's "Maxwell's Silver Hammer," the story of Maxwell Edison (a student majoring in medicine), has a wonderfully bizarre but nonetheless hilarious lyric. Despite the theme of murder, this is a gaily cheerful presentation, bringing to mind other humorous, memorable and melodic McCartney compositions such as "When I'm 64," "Your Mother Should Know" and "Honey Pie." Paul accompanies himself on acoustic guitar and is joined by George's 4-string guitar and Ringo playing anvil. His lead vocal is backed by another track of himself, George and Ringo. A significant feature of "Maxwell's Silver Hammer" is the use of the Moog synthesizer, a piece of electronic equipment which can imitate and vary the sound of almost any known instrument. Its appearance resembles that of a double-keyboard electric piano, complete with rows of inputs and dials for sound modification.

"Oh! Darling" is a very intense presentation by Paul, a real tear-jerker of a ballad to bring back memories of typical 1950-1960 period songs. I often wonder how so great a shouting voice can come out of such an angelic face.

"Octopus's Garden" is all about a garden at the bottom of the sea where people can play happily and know they're safe. Ringo's second composition (follow-up to "Don't Pass Me By" from last November's double album package) is not unlike the song which John and Paul wrote for him to sing and which has been released on three separate occasions since August of 1966, namely "Yellow Submarine." During the bridge passage George and Paul do some high-pitched falsetto voicing which adds to the delight of Ringo's song, since they come out sounding like mermen if not mermaids. Lots of fun and a catchy tune, this one. Carry on, Ringo!

"I Want You (She's So Heavy)" finishes off the six tracks included on Side One. John sings all the way through, playing lead guitar as well. Very inventive with a fascinating, fluctuating time

signature. "I Want You (She's So Heavy)" outdoes John's own "Strawberry Fields Forever" with regard to the number of time changes, quite a feat.

Side Two features a series of six marathon numbers composed by John and Paul totaling seventeen minutes as a main track, together with two other numbers. This interlocked medley has been admirably described by *Time* magazine as a "kind of odyssey from innocence to experience."

The medley follows the first two songs, one of which is "Here Comes the Sun," my personal favorite of the album. Sentiment seems always a factor in George's songs, especially in "While My Guitar Gently Weeps" and "If I Needed Someone," and "Here Comes the Sun" is no exception. The high treble guitar riff running through the piece gives this beautiful Harrison melody an almost irresistible quality.

Then begins the medley of John and Paul songs. "You Never Give Me Your Money" is typically Paul in sweet voice. This one is about a boy talking to a girl. "You never give me your money, only your funny papers." It is comparable to "Hey Jude" in mood. In addition to the vocal, Paul plays piano.

"Sun King" is a very slow, very beautiful number about how happy everyone is when the sun shines. John plays maracas, Paul is on harmonium, Ringo plays bongos and George Martin (the Beatles' producer) is featured all the way through on organ. At one point the Beatles let the song drift into an old Spanish traditional song.

"Mean Mr. Mustard" is a short song John wrote while in India as far back as February, 1968. Paul's voice adds much to the effect and the blend of the two is in its usual top form. "Polythene Pam" is John at his jiving best as he handles the lead vocal and maracas. Paul and George provide background singing, Paul plays a cowbell and George bangs upon a tambourine. This one's all about the curious Pam who is "so good-looking she looks like a man"! I wish John would have added five minutes to the length of this track.

"She Came In Through the Bathroom Window" is Paul's strange little story about a rich girl who claimed to have been a club dancer and who has a boyfriend who quit the police department to get himself a steady job. It's amazing how this track breaks in directly after "Polythene Pam."

Perhaps Paul's best ballad contribution to the set of six marathon numbers is "Golden Slumbers," obviously about someone sleeping, and given a suitably dreamy McCartney treatment.

"Carry That Weight" keeps coming in and out of the medley all the way through. "The End" was best described by *Time* magazine as "a final note of acceptance of life's burdens is sealed with an affirmation: The love you take is equal to the love you make." After a suspended pause, Paul concludes the *Abbey Road* program with "Her Majesty." This is a very brief item. The words tell of a boy who would like to let his girl know he loves her, but her moods change all the time and he never gets around to it unless he's got a few drinks inside him.

In retrospect, I must say I am once again astounded by the many creative and diversified talents of John Lennon, Paul McCartney, George Harrison and Ringo Starr. The most salient characteristic of all the Beatles' works is the fact that they most always include something for everyone, continuously exhibiting versatility, yielding a steady stream of creative ideas and a tremendous variety of musical delights one can revel in.

CAP and GOWN

AN OPEN LETTER

Department of Psychology
Eastern Michigan University
September 25, 1969

Samuel Karson
Head, Department of Psychology
Eastern Michigan University

Dear Sam,

For several days a letter from Bruce Nelson to deans and department heads has been displayed on the psychology department's bulletin board, accompanied by a memo from you to the psychology faculty. Bruce's letter requests deans and department heads to notify members of their departments that senior members of the faculty are "particularly being requested to attend in full academic dress, the convocation-building dedication to be held on the morning of October 24, 1969." The letter indicates that "other faculty members are cordially invited to join in the academic procession also, if they wish," and that "caps and gowns will be provided at university expense for all faculty participants." Your memo simply says, "Who will attend?" And you, yourself, were the first member of the department to volunteer, which is as it should be. This letter is my response to your memo.

I will attend the convocation-building dedication *without* academic dress if the university will donate to the Robert Louis Hannon Jr. Memorial Scholarship Fund, or some similar fund, the money that would have been spend on my cap and gown if I had worn them; if the university will also indicate to me the size of this donation, I will donate twice that amount to the same fund. If I must wear academic dress in order to participate in the ceremony, or if the u-

niversity will not donate to a scholarship fund the money saved by my attending without academic dress, I will not attend.

One purpose of this letter is to request you to forward my proposal to the appropriate university officials, preferably with a recommendation that they take favorable action on it. Another purpose is to invite you to join me in the action which I am proposing; the letter is an open one because I wish to extend the same invitation to the rest of my colleagues, both in the faculty and in the administration.

Please understand that I have no objection to ceremonial occasions and that I have profound respect for the tradition with which academic convocations and academic garb are associated. Further, I believe that people should come together to celebrate many sorts of things--including new buildings. Probably, we have too few ceremonies and celebrations; I, for one, would like to see more. However, the integrity of traditions and the dignity of ceremonial occasions, like the integrity and dignity of men, resides not in titles and trappings but in the actions of men.

The academic tradition is a tradition of community--the community of scholars. Inherent in the notion of community is the notion of mutual aid, of members of the community using their individual and collective resources to help other members of the community and also those who would become its members. I suggest that ceremonial convocations of an academic community whose members squander their limited collective resources on displays of the trappings of a tradition which they claim to honor when those resources could help to revitalize the tradition and enrich the community are empty rituals that merely mock the tradition. I revere that tradition too much to mock it.

I hope I see you at the convocation--without a cap and without a gown.

Community,
Richard W. Sroges

REVOLUTIONARY LETTER NUMBER 38

NOT PEOPLE'S PARK
PEOPLE'S PLANET, CAN THEY
FENCE THAT ONE IN, BULLDOZE IT
4 A.M.?



SOUTH VIETNAMESE SOLDIER SHOOTS TWO U.S. OFFICERS

A South Vietnamese soldier shot to death two American officers in an army compound southwest of Saigon and then fatally shot himself, the U.S. Command reported. The Americans were killed as they walked out of the headquarters compound of the Fourth Battalion of the 50th South Vietnamese Regiment near Tan An, about 29 miles southwest of Saigon.

They were identified as Lt. Col. Eugene F. Smallwood, 42, of Fairfax, Virginia, senior American adviser to the 50th Regiment, and Major Anthony J. Broullon, 32, of Jackson Heights, New York, senior adviser to the 4th Battalion.

The statement said the South Vietnamese enlistedman shot at the South Vietnamese commander of the 4th Battalion before turning the gun on himself. The government officer was uninjured. (LNS)

Inside Dope

By MONTMORENCY PIMM

Rumor: The State Police may be building a lab at the new crime center on Washtenaw between Ypsi and Ann Arbor. This means they will be able to analyze chemicals without sending samples to Lansing.

There is a lot of killer weed around, and believe it or not, some of it has been grown in the Ypsi-A² area. Grown from Panama Red seeds and not harvested till the middle of September. Just goes to show, folks, what a little patience can accomplish for your head.

Dynamite Acid of the Month Award: Little saccharine-sized tabs, salmon-pink with little black speckles in it. If you were strung out, you could get six hits out of this tab. It goes two ways very heavily. I dropped a whole one and was in the O-zone looking through a fish-eye lens, listening to the Heavenly Choir. Almost pure LSD, a rarity lately. Be with friends when you drop this.

DOPERS IN DORMS

Watch out for fire drills. If you are under suspicion (and there *are* informers in the dorms), this is how they will search your room, without any hassles. Find a good stash.

DOWN WITH SMACK AND SPEED

The Mafia has a lot of this in the area. Stay away! These are the same people who are helping Nixon cut off our supply of weed. They have been forcing the big independent dealers (our people) into not selling their weed to anybody but them. Once the Mafia gets the weed, they cut it with tobacco or oak leaves, treat it with smack, and sell it at high prices (\$200-\$250 a short kilo). Everything those pigs make or sell has smack in it. And make no mistake, they are just as much pigs as your friendly local constabulary.

Don't buy the black acid around. It's five cents worth of rat poison. You *will* get off. Puking mostly.

Operation Intercept, Nixon's plan to stop dope smuggling, is irritating the people who have to wait six hours in line to get across the border from Mexico to the US--100,000 cars a day.

STREET PRICES

Acid: \$3-4 a tab
Mescaline: \$3-4
Hash: \$6-10 a gram
Marijuana: \$12-15 a *short* ounce

NARC BARK

There was a time in days gone by when those engaged in the most perverted and sickest of occupations--narcing--could feel secure while living off the innocent flesh of their victims. However, in various parts of the country this situation has now changed. In California the *Los Angeles Free Press*, an underground paper which sells 100,000 copies a week, recently secured and published a list containing the names, addresses, and phone numbers of narcs in the LA area--reducing the narcs to a state of paranoia. They complained that their privacy was being invaded with threatening phone calls and scores of long-haired weirdo freaks staking out their homes. In short, they became the victims of their own sinister personalities.

Most underground papers believe that this sort of thing is an invaluable service to the community. This belief is held by the *Second Coming* and it is our intention to bark on any confirmed narc--professional or free-lance. We thereby extend a friendly invitation to anyone having information or photos of these socially undesirable types to just drop whatever he has into a mail box. Of course, first put it into an envelope and address it to: The *Second Coming*, P. O. Box 491, Ypsilanti, Michigan 48197. All information will be thoroughly investigated.



NARC'S JOB GOES TO POT

CHAMPAIGN-URBANA, ILL. (LNS)--Undercover state narcotics agent Phil Staab's job was to make friends among the University of Illinois students who were "likely to be marijuana users."

Staab, 21, of Peoria, Ill., posed as a student at the Urbana campus. He was part of a state-wide crackdown on campus marijuana use.

The pseudo-student had a bad first week.

On September 19, he was jolted when a group of students began yelling "narc" at him and pointed at him wherever he walked. He made a strategic withdrawal and renewed his efforts.

Walking into the Wigwam, a popular student bar, he began asking people if they "would like to buy some pot." But again some students recognized him.

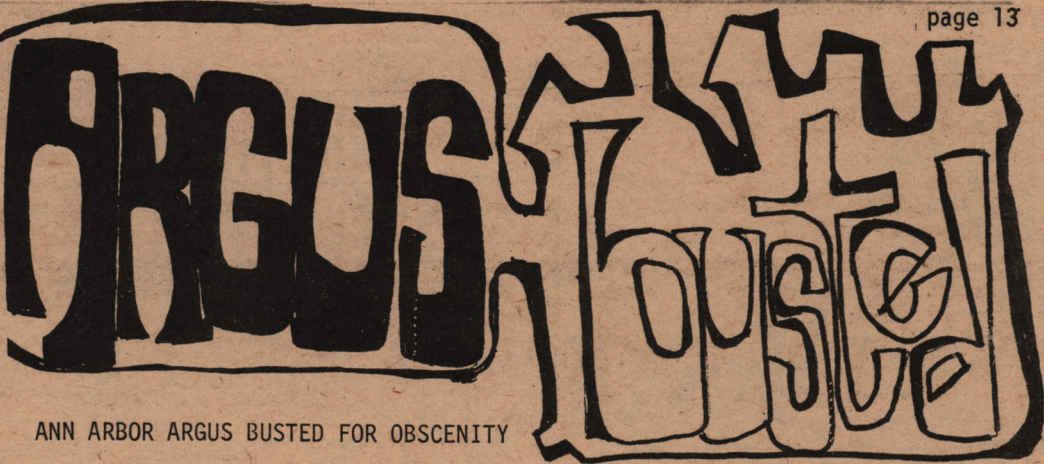
He ran out of the Wigwam, dodging through a crowd of irate students who pursued him. He darted into the street and was hit by a car. He was knocked down, bruising his side.

Later, according to Staab, he was fired by the state bureau. No reason was given.



IT WON'T BE LONG NOW

Most "liberal" health officials, editorial writers, and big city politicians want marijuana laws eased. Reason is that their offspring are getting busted like crazy. Agnew's teeny daughter Kim and some of her girl friends were caught with weed a few months ago at Washington's National Cathedral School for Girls; Senator McGovern's daughter was busted last year. Latest victim: Peter Hoyt Dominick Jr., 28, son of the right-wing senator from Colorado. He was fined \$200 in Port Moresby, New Guinea (according to the New Guinea paper *Post Courier*) for possession of two ounces of cannabis. Meanwhile, John Sinclair still faces nine years in prison for giving two joints to a narc. (Hard Times)



ANN ARBOR ARGUS BUSTED FOR OBSCENITY

Ken Kelley, editor of the *Ann Arbor Argus*, was arraigned September 3 on state charges of distributing an "obscene newspaper." After he was released on \$1,000 bond--with hair uncut--Kelley and his lawyers described his bust as "absurd" and "political."

The arrest grew out of a political cartoon in the *Argus*' August 13 issue showing Ann Arbor city councilman James Stephenson holding what some people have interpreted as a drawing of a penis. (Others have said it looks like a modernistic microphone or perhaps a tail.) Stephenson, one of three Republican members of the City Council, has been carrying on a war of words against the "corruption" of Ann Arbor's youth by both the *Argus* and the White Panther Party. At a recent meeting, he had fumed that "a typical picture in the *Argus* shows the male genital in a discernibly turgid state." So, unable to find a picture of an erect testicle in their files, the *Argus* people printed the cartoon.

Kelley's arrest was condemned as an attempt to destroy freedom of the press by a wide spectrum of Ann Arbor people and organizations, ranging from the White Panthers through the *Michigan Daily* to the New Democratic Coalition. The state law prohibiting "an obscene, lewd, lascivious, filthy, indecent or disgusting newspaper" is clearly unconstitutional. In addition the Supreme Court has said that for something to be obscene it must be of "prurient interest"--it must make you horny. No one has yet claimed that the cartoon did that.

In addition to gaining support and publicity for the *Argus*, the obscenity case has widened the split in the Ann Arbor power structure. The City At-

torney refused to issue a warrant against the *Argus* under the city's anti-obscenity statute, so the County Prosecutor, his political enemy, did under state law. The predominantly Democratic City Council also refused to strengthen that city ordinance shortly after the *Argus* arrest. And as a result of police street riots in Ann Arbor during the summer, recall drives are currently under way against both the County Sheriff (a law and order reactionary) and the Mayor (a liberal Democrat).

To further heighten the confusion, on September 15 three more Republicans filed a civil suit against the *Argus*, the University of Michigan Board of Regents, the mayor, the city attorney, and the county prosecutor! The first two are charged with causing harm by distributing the *Argus*; the middle two are charged with having "failed, refused, and neglected" to furnish a written opinion on whether or not the paper was obscene; and the prosecutor got in there because of a legal requirement for that type of suit.

Kelley's lawyers who have taken the case without charge are confident of either getting the charges dropped before an actual trial or of getting a conviction reversed on appeal because of the clearly political--and therefore constitutionally protected--nature of the "obscene"

Meanwhile the *Argus* has published an article revealing that Washtenaw County Sheriff Douglas Harvey seduced a fifteen year old Ypsilanti girl a few years ago, an act which resulted in his dismissal from the police force. He returned to it when elected Sheriff by the voters of this county. (MNS)

Revolutionary Letter Number 27

S
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How much
can we afford to lose, before we win, can we
cut hair, or give up drugs, take
job, join Minute Men, marry, wear their clothes,
play bingo, what
can we stomach, how soon
does it leave its mark, can we
living straight in a straight part of town still see
our people, can we live
if we don't see our people? "it is better
to lose & win, than win & be
defeated." sd Gertrude Stein, which wd you
choose?



THE SECOND COMING

Presents

Halloween Freak Out

with

the Chain

Tarantula

the
Great AMERI-
CAN
Tragedy

LIGHT SHOW, FILMS & MORE

FRIDAY, OCTOBER 31
\$1 ADMISSION 8-12

MCKENNY UNION BALLROOM

Chicago

From LNS, MNS

The Chicago "conspiracy" trial of eight anti-war people for causing the riots at the Democratic Convention last year is now under way, and is one of the freakiest in the country's history.

The most publicized part is the action to be put on by SDS during October 8-11, under the slogan "Bring the War Home." The two factions, Weatherman (originally Revolutionary Movement I) and RYM II, each have scheduled events. Weatherman would call itself the more "militant," its actions will be characterized by mobile street fighting and perhaps even an "attack on the fascist courts" as one leaflet indicated. The RYM II people, with the support of the Black Panthers and the Young Lords, will simply march through black, white, and latin working-class communities and help out in local movement action (daycare centers, school boycott, and protest rally). For Weatherman info call 642-3015 and RYM II 348-2246 or 348-8578, all in Chicago.

The political implications of the trial are ugly enough (see the Conspiracy ad below), but the con-

Actions

duct of the trial by Judge Julius Hoffman (nicknamed "Magoo" by Movement people because of his senile resemblance to the cartoon character) has been almost unbelievable. Before the trial began on September 24, he tried to forbid press and media coverage both in the courthouse and *on the square outside*. Only after several news-men were arrested was compromise made.

Hoffman also refused to present many defense questions to prospective jurors, and read the indictment against the eight defendants with such prejudice that the defense moved for a mistrial, which was of course denied.

However, Magoo's worst offense against judicial propriety came when he ordered the arrest of four defense attorneys who had finished their part of the case and had telegraphed the judge of their withdrawal from it. Two of them were actually incarcerated before being freed by higher courts, which promptly quashed Hoffman's contempt of court citations. This episode, nearly unprecedented in American judicial history, has blown the minds of lawyers across the country, and moves are under way to both get a mistrial declared and impeach the judge.

The Committee to Defend the Conspiracy

The federal indictment in Chicago of eight political dissenters for conspiracy to promote disorder and riot during the week of the Democratic National Convention is one of the most ominous challenges to political liberty since the passing of Senator Joseph R. McCarthy. It calls for a clear and considered response from all who believe that the preservation of political dissent is now, more than ever, crucial to the survival of democratic process in America.

The undersigned have formed a *Committee to Defend the Conspiracy*. Through newspaper ads and mailings we intend to raise funds urgently needed for the legal defense of these eight men and to clarify the critical political and civil libertarian issues at stake. We are now organizing a large group of sponsors for a national campaign built around the following statement:

"Eight political activists who were prominent in the mass demonstrations of protest during the Democratic National Convention in Chicago are now under federal indictment for criminal conspiracy. They are the first persons to be so charged under Title 18 of the Civil Rights Act of 1968 which makes it a felony to 'travel in interstate commerce... with the intent to incite, promote, encourage, participate in and carry on a riot...'"

"The effect of this 'anti-riot' act is to subvert the First Amendment guarantee of free assembly by equating organized political protest with organized violence. Potentially, this law is the foundation for a police state in America.

"In this decade, countless Americans have contributed to the revitalization of politics through freedom rides, peace marches and other demonstrations of protest against impacted political institutions. Yet, from Bull Connor's Birmingham to Richard Daley's Chicago, civil authorities have employed police violence to suppress 'the right of the people peaceably to assemble,' repeatedly invoking the spectres of conspiracy, incitement and riot. The Justice Department has now joined the assault on free political action.

"Title 18, the 'anti-riot' provision, was attached to the Civil Rights Act of 1968 by a repressive coalition in the Congress and was aimed at black civil rights activists. Enacted in the wake of the urban riots that followed the murder of Martin Luther King, the rider found support even among members of the Congress who might ordinarily resist the delusion that social disorder is the sinister work of 'outside agitators.'

"The 'anti-riot' clause and the indictment in Chicago are legally and Constitutionally dubious. While acts of violence, incitement and disruption are explicitly covered by numerous, long-established state and local laws, conspiracy—which deals not with act but with intent—is a vague concept at best. Prosecution for conspiracy requires no proof of the commission of a crime, nor even of an attempt. Thus the prosecution of conspiracy all too easily becomes political harassment of persons who hold dissenting ideas.

"It is especially surprising that this new law should first be tested in connection

with the Chicago disorders. For the events of convention week do reveal, with terrible clarity, that it is local authority and police who decide whether violence attends civil demonstration. In this case, the responsibility of the Chicago authorities is the more striking when it is remembered that several of the eight men under indictment have helped to organize major public demonstrations in other cities, both before and after the week of the Democratic National Convention. None of these demonstrations resulted in riot.

"The nature and origin of the Chicago violence, the lack of specificity in the indictment, the doubtful constitutionality of the charges and the singling out of men who enjoy national prominence on the left, strongly suggest that the federal government is now embarked on a program to constrain dissenting political activity. The eight defendants—Rennie Davis, David Dellinger, John Froines, Tom Hayden, Abbie Hoffman, Jerry Rubin, Bobby Seale and Lee Weiner—represent a broad range of styles and commitments on the political left. Their indictment reveals how sweepingly Title 18 can be applied to control and limit free political activity. If convicted, each faces up to ten years imprisonment and fines up to \$20,000.

"Confronted by a patently political challenge, the eight defendants have determined on a political response as well as a legal defense. Through their trial they will carry forward the first constitutional challenge to the anti-riot act. They intend, as well, to refocus public attention on the root issues that brought them and thousands of others

to Chicago and the Democratic National Convention—the war, racism, the widening power of the military-academic-industrial complex, the enfeeblement of the nation's political process. As a sign of their refusal to be intimidated by the scare label the government would hang upon them, the defendants are calling themselves *The Conspiracy*; and they are inviting other Americans who are similarly committed to radical change in this nation to join *The Conspiracy*. They are also appealing for financial and moral support to Americans who find in this indictment disturbing implications for the safeguard of constitutional liberty and a democratic political life.

"Broad-based support for the eight defendants is urgently needed both to defend the right of political dissent and to insure that the costly and protracted process of litigation does not effectively immobilize political dissent."

JOIN THE
CONSPIRACY

28 E. Jackson Blvd.
Chicago 60604

Peter Babcox, Julian Bond, Noam Chomsky, Judy Collins, Harvey Cox, Douglas Doud, Congressman Don Edwards, Edgar Z. Friedenberg, Michael Harrington, Nat Hentoff, Christopher Jencks, Donald Kalish, Louis Kamps, Christopher Lasch, Sidney Lens, Herbert Magidson, Norman Mailer, Dwight McDonald, Larry David Nachman, Conor Cruise O'Brian, Charles E. Osgood, Susan Sontag, I.F. Stone, Albert Szent-Gyorgyi, Harold Taylor, Howard Zinn

Second Coming announces the opening of The West House, October 10. Ypsi's only true coffee house (folk music, blues, jug bands). Located in the cellar at 945 West Cross (across from McKenny Union) Admission is free. Dig it!

NOW

WAAM--Spectrum--10pm-1 am (Mon-Fri)
Whistle Stop-- 10 am-2 pm
6 pm-6 am
open door policy
Marc's Coffee House--
Mon-Fri, 10am-12 pm
old movies in cellar

Thursday, Oct. 9
Cinema Guild--
Dir Kenji Miguguchi

Monday, Oct. 13
The Arc--Movies .75¢
Canterbury House--
TransLuv Political
Education Lessons
8:00 pm

Friday, Oct. 17
Bob Dylan in "Don't
Look Back" (see above)
Canterbury House--
Steve Elliot--8 p.m. \$1.50
The Arc--Barry O'Neil
Gravity--EMU Union
Dining Room--\$1.00
Cinema Guild--"Judex"

Monday, Oct. 6
The Arc--Movies 50¢
Canterbury House--
TransLuv Political
Education Lessons

Friday, Oct. 10
Canterbury House--
David Rea
The Arc--Bill Vanover
(also after hours) 50¢
Cinema Guild--Ugetsu

Tuesday, Oct. 14
McKenny Union Directorette
Film Committee--"Juliet
of the Spirits"--7:00 pm
Pray-Harold 201, EMU

Tuesday, Oct. 7
Canterbury House--
Theological Free
for All

Saturday, Oct. 11
Canterbury House--
David Rea
The Arc--Bill Vanover
(also after hours) 50¢
Cinema Guild--
"Children of Paradise"
(7 and 10 p.m.)

Wednesday, Oct. 15
Canterbury House--
Radical film series--
8:00 p.m.
The Arc--"Hootenanny"
.50¢
Cinema Guild--
"Dir Sutyajit Ray"

Saturday--18 days into Oct.
Folk singer Steve Elliot
(see above)
Ann Arbor Cinema Guild--
"Chimes at Midnight"
The Arc--Barry O'Neil
(also after hours) 50¢

Wednesday, Oct. 8
Canterbury House--
Radical film series
The Arc--Hootenany
50¢

Sunday, Oct. 12
Canterbury House--
David Rea
Cinema Guild--
"Children of Paradise"

Thursday, Oct. 16
McKenny Union Directorate
Film Comm.--Bob Dylan in
"Don't Look Back"--.75¢
Cinema Guild--"Judex"

Monday, Oct. 20
The second coming of The
Second Coming

♂ IF YOU'VE BEEN TRYIN' TO GET IT, and Can't.... ♀

NEW Ike & Tina Turner
"River Deep Mountain High"

NEW Isaac Hayes
"Hot Buttered Soul"

NEW Miles Davis - "In a Silent Way"

NEW Fanny Brice - Bessy Smith - Ruth Etting...

NEW Janis Joplin
"MOONRIVER"

NEW The Beatles
"ABBEY ROAD"

NEW GRAND FUNK
RAILROAD -
"ON TIME"

NEW Butterfield Blues Band
"Keep on Movin'"


NEW John Mayall
"The Turning Point"

NEW Alice's Restaurant
Soundtrack

NEW The Band

NEW BLUES

NEW ROCK



♂...YOU AIN'T BEEN TO NED'S

711 W. Cross
Ypsilanti,
Michigan



Incredible Journey

In many ways Eastern Michigan University is unreal. Sometimes you wonder if you've fallen into a purely symbolic realm and exist only as a literary figment. For example, who could believe that the Vice-President for Business and Finance is named Profit? Or that the man in charge of Buildings and Grounds is called Hauser (pronounced Houser) and that the college paper is the *Eastern Echo*? The place is reminiscent of *Catch-22*, but Joseph Heller would never have been so trite.

The staff of the *Second Coming* almost lost its grip on reality this past week. We almost forgot that this is 1969, not 1949. The whole trip began when I was called into Dean Aceto's office on Tuesday, September 30th. Aceto wanted to know why we did not care to register the paper as a student organization. I replied that we did not want to submit to university authority in areas that restricted our constitutional rights. But I did tell Aceto that we planned to use an SDS table to sell the paper on Monday, Tuesday and Wednesday.

When I attempted to register a table for those days (a very normal procedure), the secretary asked what literature was going to be distributed (not a normal procedure). When I told her that we were going to distribute the *Second Coming*, she claimed that she did not have the authority to sign the request for a table and that probably only Mr. Profit had the authority to approve it. On Wednesday I returned to see Mr. Kleinsmith, the Coordinator of Student Activities, who was very concerned about an issue of the *Ann Arbor Argus* which had a picture of the statue of liberty being raped. He stated that he would not allow the *Argus* to be distributed on campus because it was "controversial." He said he couldn't approve the SDS table because the *Second Coming* might, for example, print an article accusing an administrator of stealing thousands of dollars whether it were true or not. It would take years to settle such a question in court and by that time the administrator's career would be ruined. When I pointed out that he was acting as an extra-legal court of review and was trying to decide what was right and proper, he just nodded in agreement. I repeated that whether or not we were allowed a table, we intended to sell the paper on campus, which is our legal right (see Editorial).

That night, October 1, at our staff meeting, Student Body President Tom Moors dropped by with some interesting information. He had been talking with Mr. Profit about the *Second Coming*. Mr. Profit told him that the university was opposed to the *Second Coming's* selling on campus, and that he was thinking of confiscating the papers, arresting and prosecuting the staff if "colorful" language were used, and subjecting them to university discipline. We were greatly upset by this news and ran off a leaflet to the faculty asking them for money and telling them of our hassles.

The next morning, Thursday, four members of our staff met with about 10 members of the Dean of Students' staff. The meeting was high camp. (Mr. Kleinsmith: "Is this going to be a leftist newspaper?") The interest in obscenity and "four-letter" words was high: the tone varied from gentle paternal concern to sniggers. The Dean of Students' staff was divided between the liberal civil-libertarian types (Aceto) and those who could justify letting the *Second Coming* sell on campus without harassment in the hope that lack of publicity would hurt us more than repression would. The whole staff (theirs, not ours) looked a little demoralized when the advisor to the Student Publications Board agreed with us that we were within our legal rights to sell the

paper and that there wasn't much the university could do to stop it. We also showed them the leaflet we were circulating to the faculty and one person said that Tom Moors must have been mistaken--that Profit was not stupid enough to say the things that he was alleged to have said.

So after we left the meeting with the Dean of Students' staff we went over to see Mr. Profit. He didn't have much time to talk to us, but he did verify that everything Moors had said was true. He stated that Regents' policy forbade the selling of "commercial items" on campus and that anyone who attempted to sell our paper would be subject to university discipline and criminal prosecution. He said that he had been in communication with lawyers about the *Obsidian* last year and he felt the university would prosecute us. He conceded that he had not talked to any prosecuting attorney or lawyer about the *Second Coming*, however. He felt that the university had the right to prevent the distribution of any paper, whether it was sold or given away free. He stated that papers might be confiscated, and that it was his duty as an officer of the university and the state to do all these things--he would be derelict in his duty if he did not.

Late Thursday afternoon I went in to pick up the table reservation form and found that a new clause had been written in *above my signature*: That the *Second Coming* had to be approved before the reservation became binding. I refused to accept this. (Earlier, Mr. Kleinsmith, who is in charge of this sort of thing, had asked that we submit our copy for approval before we went to the printer. Unreal as this procedure sounds, it kept the *Obsidian* from printing "The Student As Nigger" last fall.) Late that night Kleinsmith called me at home and told me that the "approval" clause had actually been requested at a meeting of President Sponberg and some vice-presidents.

On Friday the "table crisis" came to a head. We refused to compromise our constitutional rights and refused to take the table as long as that kind of condition was in effect. When this happened, the Dean of Students' Office freaked out. Aceto offered to eliminate the added condition and send the original request through, but stated that the condition had always been an "implied" university policy. However, I did not accept his offer and withdrew my request for a literature table. Kleinsmith and Aceto were both very upset by this, first denying that I had the right to withdraw my request (!) and then insisting that I had to hand in a request to withdraw the request (!!). Then I discovered that there evidently had never been any intention at all of removing the discriminatory extra condition.

This story really isn't over yet. We don't know how far the university will go in its paranoid attempt to prevent the *Second Coming* from reaching the students. Perhaps we will all be in jail Monday afternoon.

But I doubt it. We have firm commitments from radical lawyers and the American Civil Liberties Union. We know that legally we are in the right. We are free to do or say anything we want on this campus as long as classes are not disrupted.

The legal opinion that the university bases its threats upon was written almost a year ago. When we read it to one of our lawyers, he laughed and said that he didn't think that any lawyer would go into court with it. Clearly the university is trying to bluff us. Although we are in the right, they think that they have the power and the money to outlast us. We hope they're wrong.

Frank Michels

Second Coming

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